

# Attachment A

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**Before the Monterey County Airport Land Use Commission,  
State of California**

**Resolution No. 26-00**

Resolution by the Monterey County Airport  
Land Use Commission:

- a. Approving a response letter regarding the City of Monterey's Notice of Intent to overrule (Resolution No. 26-008);
- b. Authorizing the ALUC Chair to sign the letter on behalf of the ALUC; and
- c. Directing ALUC staff to provide the letter to the City Council of the City of Monterey.

REF250022, City of Monterey

**WHEREAS**, on July 28, 2026, the Airport Land Use Commission, at a duly noticed public hearing, adopted Resolution No. 25-003 finding the City of Monterey's ALUC application to consider a proposed conversion of an existing 11,177 square foot commercial office building into a new Montessori Community School inconsistent with the 2019 Airport Land Use Compatibility Plan (ALUCP) for Monterey Regional Airport;

**WHEREAS**, on February 10, 2026, the City of Monterey provided ALUC staff and the California Department of Transportation - Division of Aeronautics with a notice of intent, via City Council Resolution No. 26-008, to overrule ALUC Resolution No. 25-003, specifically the ALUC's determination that the City of Monterey's ALUC application to convert an existing 11,177 square foot commercial office building into a new Montessori Community School inconsistent with the Monterey Regional Airport Land Use Compatibility Plan (ALUCP); and

**WHEREAS**, pursuant to Public Utilities Code Section 21676(b), the ALUC may provide comments to the local agency governing body within 30 days of receiving the proposed decision and findings, and those comments shall become part of the public record of any final decision of the City Council to overrule the ALUC; and

**WHEREAS**, incorporated by reference, include the Monterey Regional Airport District comments on the City's Notice of Intent to Overrule. The District letter's reaffirmed its original position that "The proposed undertaking at 2400 Garden Road would increase the potential number of vulnerable occupants in the vicinity of MRY which further decreases safety margins in the 6,000 ft / 10,000 ft review area which is inconsistent with the intent of the Monterey Regional Airport Land Use Compatibility Plan" and that the "Monterey Regional Airport strongly discourages the proposed use of 2400 Garden Road as a Day Care Center." Further, the District's letter identified the location of existing land uses that are occupied by vulnerable occupants within 6,000 ft /10,000 ft of the Monterey Regional Airport runways and found that there were 25 existing land uses that accommodated vulnerable occupants; nine of which were classified as Daycares/Preschools or In-House Daycare/Preschool. The proposed project

would be the 10th daycare/school within 6,000 ft or 10,000 ft of the MRY runways, and the closest facility to the airport. The nearest existing day cares are separated from the airport by major roadways, including CA-1, SR 218, and SR 68. The nearest similar use, Auburn's House Montessori School, is located at 1242 Siddall St, Seaside, CA, which is 5,000 feet north of the nearest runway at MRY. In contrast, the proposed day care at 2400 Garden Road is 1,395 feet south of the main runway at MYR and directly adjacent to Zone 5, which prohibits daycare uses.

**WHEREAS**, Caltrans also provided comment on the Notice of Intent to Overrule on March 4, 2026, stating, "special measures should be taken to minimize hazards to the facility and occupants." No special measures have been taken to minimize hazards to the ALUC's knowledge. Caltrans' letter also supports the ALUCP's ability to establish a policy that strongly discourages the introduction of uses involving vulnerable occupants within proximity to an airport;

**WHEREAS**, the attached letter reflects the ALUC's response to the City of Monterey's Notice of Intent to Overrule ALUC Resolution No. 25-003; and

**WHEREAS**, on March 9, 2026, the ALUC conducted a duly noticed public meeting to consider the City's Notice of Intent to overrule ALUC Resolution No. 25-003 and approve a response letter in accordance with Section 21676(b) of Public Utilities Code.

**NOW, THEREFORE, BE IT RESOLVED**, the Monterey County Airport Land Use Commission does hereby approve the attached response letter regarding the City of Monterey's Notice of Intent to overrule ALUC Resolution No. 25-003; authorize the ALUC Chair to sign the letter on behalf of the ALUC; and direct ALUC staff to provide the letter to the City Council of the City of Monterey.

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**PASSED AND ADOPTED** on this 9th day of March 2026 upon motion of Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ by the following vote, to-wit:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

ATTEST  
Craig Spencer, Secretary to the ALUC

By: \_\_\_\_\_  
Fionna Jensen, Designee of Secretary to the ALUC  
March 9, 2026

Attachment: Response Letter, dated March 9, 2026